AMENDMENTS TO THE CLAIMS

Claim 1 (Currently Amended): A modified Taka-amylase promoter from *Aspergillus oryzae* constructed by inserting a first DNA fragment including CCAATNNNNNN (a first base sequence: SEQ ID NO: 1) and a second DNA fragment including CGGNNNNNNNNNGG (a second base sequence: SEQ ID NO: 2) into a promoter, wherein the first DNA fragment and the second DNA fragment are combined as a pair, and in each pair, said first DNA fragment and said second DNA fragment are inserted so that they are arranged sequentially from the 5' end to the 3' end side of said promoter, wherein said first DNA fragment and said second DNA fragment are inserted at the 5'-end side that is upstream to a CCAAT sequence existing in said promoter, or at the 3'-end side that is downstream to a SRE sequence existing in said promoter, and wherein the modified promoter is capable of functioning in a filamentous fungus.

Claim 2 (Original): The modified promoter according to claim 1, wherein said first base sequence is CCAATTAGAAG (SEQ ID NO: 3).

Claim 3 (Original): The modified promoter according to claim 1, wherein said first base sequence is CGGHNWWWWNWHGG (SEQ ID NO: 4).

Claims 4 – 7 (Cancelled):

Claim 8 (Previously Presented): The modified promoter according to claim 1, wherein a plurality of said first DNA fragments and a plurality of said second DNA fragments are inserted.

Claim 9 (Original): The modified promoter according to claim 8, wherein the same number of said first DNA fragments and said second DNA fragments are inserted.

Claim 10 (Cancelled):

Claim 11 (Currently Amended): A modified Taka-amylase promoter from *Aspergillus oryzae* constructed by integrating one to several of either a DNA fragment having a base sequence of SEQ ID NO: 9, or a DNA fragment obtained by substitution or deletion of one to several bases constituting the DNA fragment, or by addition or insertion of one to several bases and which has an enhancer function, into a promoter, wherein the first DNA fragment and the second DNA fragment are inserted at the same time as a pair, and in each pair, said first DNA fragment and said second DNA fragment are inserted so that they are arranged sequentially from the 5' end to the 3' end side of said promoter, wherein said first DNA fragment and said second DNA fragment are inserted at the 5'-end side that is upstream to a CCAAT sequence existing in said promoter or at the 3'-end side that is downstream to a SRE sequence existing in said promoter, and wherein the modified promoter is capable of functioning in a filamentous fungus.

Claims 12 - 14 (Cancelled).

Claim 15 (Original): A vector in which the modified promoter according to claim 1 is integrated.

Claim 16 (Original): A vector in which the modified promoter according to claim 1 is integrated and further a structural gene of a targeted protein is integrated under control of the modified promoter.

Claim 17 (Original): A transformed filamentous fungus comprising the vector according to claim 16 capable of expressing said structural gene.

Claim 18 (Original): A filamentous fungus comprising the modified promoter according to claim 1, and a structure gene encoding a targeted protein and being under control of the modified promoter.

Claim 19 (Original): A method for producing a protein, the method comprising: culturing the filamentous fungus according to claim 18 under conditions capable of producing protein; and collecting the produced protein.

Claim 20. (New) A modified Taka-amylase promoter from *Aspergillus oryzae* constructed by inserting a first DNA fragment corresponding to SEQ ID NO: 3 and a second DNA fragment corresponding to SEQ ID NO 4 into a promoter, wherein SEQ ID NO: 3 and SEQ ID NO: 4 are combined as a pair, and inserted sequentially from the 5' end to the 3' end side of said promoter that is upstream to a CCAAT sequence existing in said promoter, or at the 3'-end side that is downstream to a SRE sequence existing in said promoter, and wherein the modified promoter is capable of functioning in a filamentous fungus.